

10/14/09
11:40

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SHAWN DRUMGOLD,
Plaintiff,

v.

TIMOTHY CALLAHAN, et al.,
Defendants.

GERTNER, D.J.

Civil Action No. 04cv11193-NG

VERDICT SLIP

1. Exculpatory Information

- a. Has the Plaintiff, Shawn Drumgold, proven by a preponderance of the evidence that Defendant Timothy Callahan intentionally or recklessly withheld exculpatory evidence from prosecutors regarding Ricky Evans being housed at a hotel and provided with meals?

YES ☒

NO ☐

- b. Has the Plaintiff, Shawn Drumgold, proven by a preponderance of the evidence that Defendant Timothy Callahan intentionally or recklessly withheld exculpatory evidence from prosecutors regarding promises of favorable treatment in Ricky Evans' pending criminal cases?

YES ☐

NO ☒

- c. Has the Plaintiff, Shawn Drumgold, proven by a preponderance of the evidence that Defendant Timothy Callahan intentionally or recklessly withheld exculpatory evidence from prosecutors regarding money given to Ricky Evans?

YES ☒

NO ☐

IF YOU ANSWERED YES TO THE PRECEDING QUESTION (c), PLEASE ANSWER THE FOLLOWING QUESTION (d). IF YOU ANSWERED NO TO THE PRECEDING QUESTION (c), PLEASE READ THE INSTRUCTIONS AT THE TOP OF PAGE 2.

- d. How much money did Defendant Timothy Callahan give to Ricky Evans?

\$20 ☒

More than \$20 ☐

IF YOU ANSWERED YES TO ANY OF THE QUESTIONS LABELED (a), (b), OR (c) ON PAGE 1, PLEASE ANSWER THE FOLLOWING QUESTION (e). IF YOU ANSWERED NO TO ALL OF THOSE QUESTIONS, PLEASE PROCEED TO SECTION 2, LABELED "OBTAINING FALSE STATEMENTS."

- e. Has the Plaintiff, Shawn Drumgold, proven by a preponderance of the evidence that the evidence withheld by Defendant Callahan was material?

YES ☒ NO ☐

IF YOU ANSWERED YES TO THE PRECEDING QUESTION (e), PLEASE ANSWER THE FOLLOWING QUESTION (f). IF YOU ANSWERED NO TO THE PRECEDING QUESTION (e), PLEASE PROCEED TO THE SECTION LABELED "OBTAINING FALSE STATEMENTS."

- f. Has the Plaintiff, Shawn Drumgold, proven by a preponderance of the evidence that the evidence withheld by Defendant Callahan was a legal cause of Mr. Drumgold's conviction?

YES ☒ NO ☐

2. **Obtaining False Statements**

- a. Has the Plaintiff, Shawn Drumgold, proven by a preponderance of the evidence that Defendant Timothy Callahan intentionally or recklessly obtained false statements or manufactured evidence regarding Ricky Evans' testimony?

YES ☐ NO ☒

IF YOU ANSWERED YES TO THE PRECEDING QUESTION (a), PLEASE ANSWER THE FOLLOWING QUESTION (b). IF YOU ANSWERED NO TO THE PRECEDING QUESTION (a), SIGN THE VERDICT SLIP AND NOTIFY THE CLERK YOU HAVE REACHED A VERDICT.

- b. Has the Plaintiff, Shawn Drumgold, proven by a preponderance of the evidence that Defendant Callahan's actions in obtaining false statements or manufacturing evidence was a legal cause of Mr. Drumgold's conviction?

YES ☐ NO ☐

SO SAY WE ALL:


FOREPERSON
Boston, Massachusetts


Date